

3:30 P.M., Ohio County Community Center, Hartford, Ky

Meeting called to order by Judge Executive David Jones. Prayer by Magistrate Jason Bullock. Pledge to the American flag.

Those present were as follows:

David G. Jones	Judge Executive
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Absent
Jason Bullock	Magistrate District 2
Richard Robinson	Magistrate District 3
Larry Keown	Magistrate District 4
Bill Burden	Magistrate District 5

Judge Jones opened a public hearing regarding a Community Emergency Relief Fund grant application. Those present signed in. The floor was opened to comments or questions from the public. Ms. Joanna Davis from GRADD answered any questions. With no further comments or questions, Judge Jones adjourned the public hearing.

Motion made by Esq. Burden that the Court approve the minutes of the regular meeting on December 29, 2009 as presented(on file in Fiscal Court Order Book, Clerk’s office):

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the bills, claims, payments and transfers as presented (copy on file, Clerk’s office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the following Resolution regarding application for a CDBG grant for the Ice Storm CERF Project:

RESOLUTION

OHIO COUNTY, KENTUCKY

A RESOLUTION AUTHORIZING THE JUDGE/EXECUTIVE TO SIGN AND SUBMIT A 2009 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT.

BE IT RESOLVED BY THE OHIO COUNTY FISCAL COURT:

That the Judge Executive be, and is hereby authorized to sign and submit an application for Community Development Block Grant Funds to the Kentucky Department for Local Government for the Ice Storm CERF Project.

PASSED by the Ohio County Fiscal Court, Kentucky, this 19th day of January 2010.

OHIO COUNTY, KENTUCKY

Judge/Executive David Jones

Attest

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The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the change orders allowing the Fiscal Court to pay for the additional sprinklers needed in the Tamarlane building in the amount of \$18,014.71.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to appropriate \$500 to Audubon Area Senior Services for their Senior Companion Program for FY 2009-2010.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to appropriate \$500 to Audubon Area Senior Services for their R.S.V.P. Program for FY 2009-2010.

The motion was seconded by Esq. Bullock and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve the second reading and adoption of Ordinance #2010-1-B an amendment to the county budget for FY 2009-2010 (copy on file in Ordinance Book, Clerk’s office).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the Treasurer’s Financial Statement for the month of December 2009 as presented (copy on file in Clerk’s office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court adopt the following Resolution in support of a loan from KACo for a pothole patcher:

FORM OF RESOLUTION

RESOLUTION NO. 10-0119

A RESOLUTION APPROVING A LEASE FOR THE FINANCING OF A PROJECT AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS RELATED TO SUCH LEASE.

WHEREAS, the governing body of the County of Ohio, Kentucky (the “Lessee”) has the power, pursuant to Section 65.940 et seq. of the Kentucky Revised Statutes to enter into lease agreements with or without the option to purchase in order to provide for the use of property for public purposes;

WHEREAS, the governing body of the Lessee (the “Governing Body”) has previously determined, and hereby further determines, that the Lessee is in need of the Project, as defined in the Lease hereinafter described;

WHEREAS, the Governing Body has determined and hereby determines that it is in the best interests of the Lessee that the Lessee and the Kentucky Association of Counties Leasing Trust (the “Lessor”) enter into a Lease Agreement (the “Lease”) for the leasing by the Lessee from the Lessor of the Project;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE FISCAL COURT OF THE COUNTY OF OHIO, KENTUCKY:

Section 1. Recitals and Authorization. The Lessee hereby approves the Lease Agreement (the “Lease”) and all Collateral Documents, as defined in the Lease, each in substantially the form presented to this Governing Body. It is hereby found and determined that the Project identified in the Lease is public property to be used for public purposes. It is further determined that it is necessary and desirable and in the best interests of the Lessee to enter into the Lease for the purposes therein specified, and the execution and delivery of the Lease and all representations, certifications and other matters contained in the Closing Memorandum with respect to the Lease, or as may be required by the Lessor prior to delivery of the Lease, are hereby approved, ratified and confirmed. The County Judge Executive and Fiscal Court Clerk of the Lessee are hereby authorized to execute the Lease, together with such other agreements or certifications which may be necessary to accomplish the transaction contemplated by the Lease.

Section 2. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 3. Sunshine Law. This Governing Body hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Governing Body, and that all deliberations of this Governing Body and of its committees, if any, which resulted in formal action, were in meetings open to the public in full compliance with applicable legal requirements.

Section 4. Conflicts. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given effect.

Section 5. Effective Date. This Resolution shall take effect from and after its passage, as provided by law.

INTRODUCED, SECONDED AND ADOPTED, at a duly convened meeting of the Governing Body, held on Tuesday, January 19, 2010, signed by the County Judge Executive of the Lessee, attested by the Fiscal Court Clerk, filed and indexed as provided by law.

By:_____

Title: Ohio County Judge Executive

Attest:

By: _____
Cheryl Morris

Title: Ohio County Fiscal Court Clerk

The motion was seconded by Esq. Bullock and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve to advertise for bids on a new, slightly used or demo model pothole patcher.

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The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve to adopt the following Resolution:

RESOLUTION

HOPEWELL CHURCH LANE

OHIO COUNTY FISCAL COURT

WHEREAS, The Ohio County Fiscal Court has established a County Road and Street Index as defined by Ordinance #91-3; and,

WHEREAS, On February 5, 2008, CR 618 – Hopewell Church Lane was officially adopted as a County Road and added to that “Index”, beginning at its intersection with CR 248 Hopewell Road extending in a northwesterly direction for a distance of approximately 0.106 mile; and,

WHEREAS, CR 618 – Hopewell Church Lane is not identified on the 1996 KY DOT approved map and therefore does not have a state identification number,

NOW, THEREFORE, BE IT RESOLVED BY THE OHIO COUNTY FISCAL COURT, that CR 618 – Hopewell Church Lane be recognized by the Kentucky Department of Transportation as a County Road with boundaries as defined above with a maintained distance of approximately 0.106 mile.

IT IS HEREBY ORDERED THIS 19th DAY OF JANUARY 2010.

DAVID JONES
OHIO COUNTY JUDGE EXECUTIVE

ATTEST:

CHERYL MORRIS
FISCAL COURT CLERK

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to adopt the following Resolution:

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RESOLUTION

WILKINS HILL LANE

OHIO COUNTY FISCAL COURT

WHEREAS, The Ohio County Fiscal Court has established a County Road and Street Index as defined by Ordinance #91-3; and,

WHEREAS, On August 25, 2009, CR 621 – Wilkins Hill Lane was officially adopted as a County Road and added to that “Index”, beginning at its intersection with CR 224 Huff Creek Lane extending in an easterly direction for a distance of approximately 0.600 mile; and,

WHEREAS, Proper easements have been provided to the County from owners of property lying upon and over the above-mentioned road; and,

WHEREAS, CR 621 – Wilkins Hill Lane is not identified on the 1996 KY DOT approved map and therefore does not have a state identification number,

NOW, THEREFORE, BE IT RESOLVED BY THE OHIO COUNTY FISCAL COURT, that CR 621 – Wilkins Hill Lane be recognized by the Kentucky Department of Transportation as a County Road with boundaries as defined above with a maintained distance of approximately 0.600 mile.

IT IS HEREBY ORDERED THIS 19th DAY OF JANUARY 2010.

DAVID JONES
OHIO COUNTY JUDGE EXECUTIVE

ATTEST:

CHERYL MORRIS
FISCAL COURT CLERK

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to adopt the following Resolution:

RESOLUTION

GREENE LANE

OHIO COUNTY FISCAL COURT

WHEREAS, The Ohio County Fiscal Court has established a County Road and Street Index as defined by Ordinance #91-3; and,

WHEREAS, On February 5, 2008, CR 607 – Greene Lane was officially adopted as a County Road and added to that “Index”, beginning at its intersection with CR 206 Haynesville Road extending in a southerly direction for a distance of approximately 0.800 mile; and,

WHEREAS, On October 6, 2009, the Ohio County Fiscal Court added an additional 150’ to CR 607 – Greene Lane; and,

WHEREAS, Proper easements have been provided to the County from owners of property lying upon and over the above-mentioned road; and,

WHEREAS, CR 607 – Greene Lane is not identified on the 1996 KY DOT approved map and therefore does not have a state identification number,

NOW, THEREFORE, BE IT RESOLVED BY THE OHIO COUNTY FISCAL COURT, that CR 607 – Greene Lane be recognized by the Kentucky Department of Transportation as a County Road with boundaries as defined above with a total maintained distance of approximately 0.828 mile.

IT IS HEREBY ORDERED THIS 19th DAY OF JANUARY 2010.

DAVID JONES
OHIO COUNTY JUDGE EXECUTIVE

ATTEST:

CHERYL MORRIS
FISCAL COURT CLERK

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve to appoint Larry Clayton to the Ohio County Extension District Board for a term of January 1, 2010 thru December 31, 2012.

Roll call vote:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Recommendation by Judge Jones that the Court approve to appoint Pam Thompson to the Ohio County Extension District Board for a term of January 1, 2010 thru December 31, 2012.

Roll call vote:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Esq. Keown that the Court approve to adopt the following Annual Order Setting Maximum Amount For Deputies and Assistants in the Sheriff’s Office:

ANNUAL ORDER SETTING MAXIMUM AMOUNT
FOR DEPUTIES AND ASSISTANTS

Pursuant to KRS 64.530(3), "...The fiscal court shall fix annually the maximum amount, including fringe benefits, which the officer may expend for deputies and assistants..."

The fiscal court of OHIO County in compliance with state law hereby sets the maximum amount which the SHERIFF (specify county clerk or sheriff) of OHIO County may expend from fees during calendar year 2010 at \$612,268.00 for deputies, assistants and other employees. The maximum amount as set includes all amounts paid from fees for:

☒ Full time salaries and wages

☒ Overtime wages

☒ Part time salaries and wages

☒ Vacation and sick leave

☐ Health insurance

☐ Insurance other than health

☐ Employer match SS/Retirement

☐ Other

☐ Other

Motion made by Esq. Keown, second by Esq. Robinson

Vote 5 - Yes

0 - No

1 - Absent

Signed Cheryl Morris Fiscal Court Clerk

Date 1-19-2010

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The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to adopt the following Annual Order Setting Maximum Amount For Deputies and Assistants in the Clerk’s Office:

ANNUAL ORDER SETTING MAXIMUM AMOUNT
FOR DEPUTIES AND ASSISTANTS

Pursuant to KRS 64.530(3), "...The fiscal court shall fix annually the maximum amount, including fringe benefits, which the officer may expend for deputies and assistants...".

The fiscal court of OHIO County in compliance with state law hereby sets the maximum amount which the CLERK (specify county clerk or sheriff) of OHIO County may expend from fees during calendar year 2010 at \$223,686.00 for deputies, assistants and other employees. The maximum amount as set includes all amounts paid from fees for:

<input checked="" type="checkbox"/>	Full time salaries and wages
<input checked="" type="checkbox"/>	Overtime wages
<input checked="" type="checkbox"/>	Part time salaries and wages
<input checked="" type="checkbox"/>	Vacation and sick leave
<input type="checkbox"/>	Health insurance
<input type="checkbox"/>	Insurance other than health
<input type="checkbox"/>	Employer match SS/Retirement
<input type="checkbox"/>	Other _____
<input type="checkbox"/>	Other _____

Motion made by Judge Jones, second by Esq. Robinson

Vote 5 - Yes

0 - No

1 - Absent

Signed Charles M. Jones Fiscal Court Clerk

Date 1-19-2010

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve to hire Kenneth Baggerly as PRN 911 Dispatcher effective 1/24/2010 at a rate of \$9.00 per hour.

Roll call vote:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Judge Jones that the Court approve the Clerk’s Amended Annual Settlement for Calendar Year 2009 as presented (copy on file in Clerk’s office).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

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Motion made by Judge Jones that the Court approve the Clerk’s Estimated Budget for Calendar Year 2010 as presented (copy on file in Clerk’s office)

The motion was seconded by Esq. Bullock and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to expend \$48,114.48 from LGEDF Project #496-Bluegrass Music Tourism monies for a security system, insulation, 4-wheel drive tractor, zero-turn mower and media safe, provided invoices from the vendors are submitted to the Fiscal Court for payment.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	No
Keown	Yes
Burden	Yes
Jones	Yes

Said motion having carried four (4) to one (1) it is so ordered.

Motion made by Esq. Keown that the Court approve to set a meeting on Saturday, January 23rd at 10:00 in the Fiscal Court meeting room with three (3) members of the Jerusalem Ridge Foundation and Judge Jones, Esq. Burden and Esq. Keown from the Fiscal Court for the purpose of negotiating a lease agreement for the use of the Bill Monroe Homeplace property.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the meeting is adjourned.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Absent
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

David Jones, Judge Executive

Cheryl Morris, Fiscal Court Clerk